



Office of the Secretary
Federal Communications Commission
Attention: CGB Room 3-B431
445 12th Street SW
Washington, DC 20554

Petition for Exemption from Closed Captioning Requirements

Introduction

TDP Production is a very small production company with extremely limited resources available, serving the Albany, GA community, producing "Music From the Heart" which highlights local bluegrass, gospel, and traditional country bands and singing groups. Six episodes will be airing for six weeks at 7am on Tuesdays beginning 6/5/07.

For the reasons set forth below, Harrell L. Perry hereby requests an undue burden exemption from the closed captioning rules for "Music From the Heart", pursuant to § 79.1(f) of the Commission's rules.

Nature and Cost of Closed Captions

TDP Production has contacted Vicaps Corporation (see attached quote). TDP Production has no resources to pay for this service.

Impact on the Operation of the Program Provider

The entire program cost approximately \$3,000 to produce with each episode costing approximately \$500. Each episode costs \$500 to produce, and closed captioning would add another \$235, which is close to 50% of cost of production. This would impact production of the series tremendously since TDP Production basically does its own shooting and editing for nominal costs.

Financial Resources of the Program Provider

No profit is made on this series. Any sponsors of the show pay for airtime and production costs. It is a very nominal fee. This is a public service for the local community.

Type of Operations of the Program Provider

TDP Production is a small local production company that provides unique programming for our local community.

Other factors

This is a musical program and some of the songs do not even have lyrics. *See* § 79.1(d)(10). Also, note that this program is produced and distributed locally, and it is of primarily local public interest. The episodes are not news, they do not have repeat value (and will not be repeated), and the electronic newsroom technique is not available.

Conclusion

As shown by this Petition and its attachments, the Commission should grant a waiver of the closed captioning requirements in this case, because requiring closed captioning would create an undue burden. The costs of captioning would be excessively high and would have a significant impact on Petitioner's operations. Petitioner's operations and financial resources are not the same as a mainstream programming provider. Because of the significant difficulty and expense of providing closed captions, a waiver under § 79.1(f) is warranted. If more information is needed, please contact me at the address provided below.

Exhibits checklist:

1. Declaration: attach a declaration in which a person attests to and affirms the factual claims made in the petition. The declaration should state that:

I, Harrell L. Perry, am owner of TDP Production, and I have reviewed the Petition for Exemption for Closed Captioning Requirements filed on behalf of TDP Production in this matter, and, upon information and belief, believe the statements regarding our organization and Music From the Heart to be true and accurate.


Harrell L. Perry, Owner

6 - 4 - 07
Date

2. Schedule of all programming offered by the provider.
3. Financial documentation: include the most recent tax returns or balance sheets and documentation indicating the total cost of production of the program and gross receipts from the program. Remember to redact social security numbers and employee identification numbers, as the entire petition – including attachments – will be made available for public inspection.
4. Other: letters from companies providing estimates for closed captioning costs.

Respectfully submitted,

[Harrell L. Perry]

By:

A handwritten signature in cursive script that reads "Harrell L. Perry". The signature is written in dark ink and is positioned above the printed contact information.

Harrell L. Perry, Owner

121 Canary Street

Cordele, GA 31015

Telephone: 229-271-2105,

Email: harrellperry@bellsouth.net

Dated: 6-4-07

Harrell Perry - Closed Captioning Quote

It was a pleasure speaking with you.

As discussed, our price to close caption the 30-minute program we discussed would be \$235. This price includes transcription, Basic Roll-up style captions, encoding to DVCPRO, tape stock, and a three business day turnaround. Faster turnarounds (including same day) are available at additional charge.

If you have any questions, please don't hesitate to contact me.

Thanks,
Justin

Justin K. Macedonia
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